

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>YOLANDA JONES</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	<b>NO. 03-4250</b>
	:	
<b>JO ANNE B. BARNHART</b>	:	
<b>Commissioner of SOCIAL SECURITY</b>	:	
<b>ADMINISTRATION</b>	:	
	:	

**ORDER**

**AND NOW**, this 20<sup>th</sup> day of June, 2005, upon consideration of the Cross-Motions of the parties for Summary Judgment, and after review of the Report and Recommendation of United States Magistrate Judge Charles B. Smith dated January 29, 2004, and plaintiff's Objections to the Report and Recommendation of the United States Magistrate Judge, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Charles B. Smith dated January 29, 2004, is **APPROVED** and **ADOPTED**;
2. Plaintiff's Objections to the Report and Recommendation of the United States Magistrate Judge are **OVERRULED**;
3. The Motion for Summary Judgment of defendant, Jo Anne B. Barnhart, Commissioner of Social Security, is **GRANTED**; and,
4. The Motion for Summary Judgment of plaintiff, Yolanda Jones, is **DENIED**.

**BY THE COURT:**

**/s/ Honorable Jan E. DuBois**  
**JAN E. DUBOIS, J.**